

Application No.: 10/714,966

Docket No.: 20140-00308-US1

**REMARKS**

Reconsideration of claims 1-10, 32-39, 41 and 45 is respectfully requested. Claims 3, 4, 34 and 35 are amended. No new matter is added as  $z = 1 - (x + y)$  is rewritten as  $x + y + z = 1$  and one of ordinary skill in the art would understand that a sum of atomic percents must equal one.

The objection to claims 3, 4, 34 and 35 under 37 CFR 1.75(c) is respectively traversed with respect to the amended claims. The claims have been amended to clarify that the sum of  $x + y + z = 1$  (not accounting for incidental impurities) as understood by one of ordinary skill in the art and consistent with the use of the transitional phrase "consisting essentially of". The amended claims 3 and 34 further limit claims 1 and 32, respectively, as they provide additional limitations to x (the amount of cobalt) as well as the amount of phosphorous that can be in the electrodeposited CoWP film. For example, one of ordinary skill in the art would have the understanding that the sum of the atomic percents of all elements in the claimed film must equal one. As a result, if  $x = 0.84$  then the amount of phosphorus in the film is limited to less than 0.16 but greater than 0.132. Also, if  $x = 0.75$  then the amount of phosphorus in the film of claims 3 and 34 remains from 0.132 to something less than 25 (as you must account for some tungsten in the film), yet the claims are properly dependent by the limitation on x. A similar argument can be made for claims 3 and 35. Accordingly, applicants respectfully request that the objection be withdrawn, and the claims be allowed.

The rejection to claims 3, 4, 34 and 35 under 35 USC 112, second paragraph is respectively traversed with respect to the amended claims. For the same reasons provided above, the applicants respectfully request that the objection be withdrawn, and the claims be allowed.

Applicants believe the pending application is in condition for allowance.

Application No.: 10/714,966

Docket No.: 20140-00308-US1

Please charge our Deposit Account No. 50-0510 under Order No. 20140-00308-US1 from which the undersigned is authorized to draw for any fees due with this Amendment.

Dated: January 12, 2006

Respectfully submitted,

By

Joseph Barrera

Registration No.: 44,522

CONNOLLY BOVE LODGE & HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicants

439026